

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>3:CR-09-306</b>
	<b>:</b>	
<b>v.</b>	<b>:</b>	<b>(Judge Munley)</b>
	<b>:</b>	
<b>CALVIN DRIVER</b>	<b>:</b>	<b>(Electronically Filed)</b>

**Trial Brief**

**a. Summary of Issues**

Mr. Driver is charged in an Indictment with Conspiracy to assault another person, knowingly and intentionally assaulting another person with a dangerous weapon, knowingly and intentionally assaulting a Correctional Officer and knowingly possessing a prohibited object in the prison. The principal issue will be the decision on guilt.

**b. Proposed Voir Dire Questions**

Mr. Driver will submit Proposed Voir Dire Questions under a separate filing and reserves the right to supplement his inquiry during the court granted attorney conducted voir dire.

**c. Proposed Jury Instructions**

Mr. Driver will submit Proposed Jury Instructions for consideration under a separate filing.

**d. Number of Witnesses**

While a final decision has not been made, Mr. Driver would expect to call 1-3 witnesses during his presentation of his defense. He reserves the right to additional witnesses based on information covered by Jenks materials.

**e. Trial Length**

\_\_\_\_\_ It is expected that the trial could be tried in 1-2 days depending on the Government's case in chief.

Respectfully submitted,

s/Hervey B. O. Young

**Hervey B. O. Young**

**Assistant Federal Public Defender**

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June 22, 2010

**CERTIFICATE OF SERVICE**

I, Hervery B.O. Young, Assistant Federal Public Defender, do hereby  
certify that I electronically served, via e-mail, a copy of the foregoing **Trial Brief**,  
to the following:

John Gurganus  
Assistant United States Attorney

by placing the same in the United States mail, first class, postage prepaid, at  
Scranton, Pennsylvania, addressed to the following:

Calvin Driver

s/Hervery B. O. Young

**Hervery B. O. Young**  
**Assistant Federal Public Defender**

June 22, 2010